PTO/SB/21 (01-03) Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/700.945 TRANSMITTAL Filing Date 10/31/2003 **FORM** First Named Inventor LUSSIER Art Unit (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number 789-64 33 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Please acknowledge receipt of the paper(s) noted herein by returning the attached postcard Document(s) receipt. Response to Missing Parts/ Incomplete Application No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951. Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm AKERMAN SENTERFITT Mark D. Passler, Registration No. 40,764 Individual Signature Date 22-04

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Signature	mm	Date	1-22-04	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LUSSIER

Application No. 10/700,945

Examiner:

Filed: October 31, 2003

Group Art Unit:

ADJUSTING TRACK TENSION SYSTEM FOR INDUSTRIAL TRACKS

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

CERTIFICATE OF TRANSMISSION/MAILING

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Reg. No. 40,764

2000 Mark D. Passler

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. A copy of each foreign patent reference is enclosed. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 1-22-04

J. Rodman Steele, Jr. Registration No. 25,931

Mark D. Passler

Registration No. 40,764

AKERMAN SENTERFITT

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Docket No. 789-64

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION	DISCL	OSURE
STATEMENT E	Y APPI	ICANT

Substitute for form 1449/PTO

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(Use as many sheets as necessary)

Complete if Known				
Application Number	10/700,945			
Filing Date	10/31/2003			
First Named Inventor	LUSSIER			
Art Unit				
Examiner Name				
Attornou Docket Number	790.64			

				DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,826,543	07/30/1974	MULLER	•
		^{US-} 4,840,437	06/20/1989	HENRY ET AL.	
		^{US-} 4,854,650	08/08/1989	GETZ ET AL.	
		^{US-} 4,881,786	11/21/1989	TONSOR	
		^{US-} 6,076,619	06/20/2000	HAMMER	
		^{US-} 6,095,275	08/01/2000	SHAW	
		^{US-} 6,139,121	10/31/2000	MURAMATSU	
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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		EP-0 332 869-A1	09/20/1989	CADILLAC GAGE		
		WO 90/00999	02/08/1990	CATERPILLAR		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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